



# AMCHAM PHILIPPINES

The American Chamber of Commerce of the Philippines, Inc.

August 5, 2014

**HON. ANTONIO TRILLANES IV**

Chairman, Committee on Civil Service  
Philippine Senate  
Pasay City

**Dear Senator Trillanes:**

We write in relation to the public hearing scheduled by the Senate Committee on Civil Service on bills regulating pharmacy, criminology, and chiropractic care on August 5.

As you know, the Philippine Constitution provides “[T]he practice of all professions in the Philippines shall be limited to Filipino citizens, save in cases prescribed by law.” (Sec. 14, Art. XII). Of the 46 laws regulating the practice of professions, only four are still restricted to Philippine nationals: Criminology, Forestry, Pharmacy, and Radio and X-ray Technology. In addition, a Supreme Court rule limits the practice of law to Philippine nationals.

One of the recommendations in *Arangkada* Philippines 2010 is to remove the restrictions on the practice of all professions on foreign nationals. The scheduled hearing on pharmacy and criminology is a step in this direction.

By inserting a reciprocity provision in the amendatory laws of the remaining four professions and in any new law regulating a profession (i.e. chiropractic care), the Congress will in effect make the restriction in the Constitution a dead letter (except for the practice of law) and will support the easier movement of Filipino professionals within the ASEAN Economic Community under the various Mutual Recognition Agreements being negotiated among member states.

With your efforts to initiate deliberations on the remaining bills regulating professions which are restricted to Philippine nationals there is an opportunity to effectively remove the restriction on foreign nationals this Congress.

We also request your intervention to fast-track deliberation on the above four bills in the counterpart Committee in the House of Representatives. Because in the 15<sup>th</sup> Congress, the House approved on third reading the bills on Criminology, Forestry, and Pharmacy, we were optimistic that these are “low-hanging fruits” to be passed early in the 16<sup>th</sup> Congress. Unfortunately, deliberations on these bills have not started in the House.

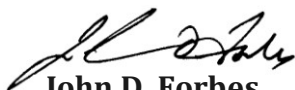
Eventually the Congress should consider whether the need of the country for foreign professionals exceeds the importance of the principle of reciprocity. Without question, the Philippines is experiencing a brain drain of professionals and faces shortages in some important skill specialties. This trend may accelerate as the population grows to its predicted peak of more than 140 million by mid-century and strong economic growth requires more and more professionals. The reciprocity provision is difficult to administer; the PRC reports very few foreign professionals have applied to practice in the country. Some countries in the region, such as Malaysia and Singapore, have enriched their economies by welcoming foreign professionals. Having no reciprocity provision or including a waiver of reciprocity provision in the law should be considered sooner than later.

Thank you very much and we look forward to continued partnership with you in the future.

Regards,



**Ebb Hinchliffe**  
Executive Director



**John D. Forbes**  
Chairman  
Legislative Committee

cc: Rep. Andres Salvacion  
Chairperson, Civil Service Committee  
House of Representatives